

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, MARCH 18, 2019**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, March 18, 2019. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Law Director, Andrea Scassa, Economic Development Director, David Maley, Income Tax/Budget Director, Barb Sylvester and Housing Director, Beverly Lewis. We also have in attendance with us some other important people. We have some students from Jackson High School and from St. Mary's Pack 903, we have a couple of Boy Scouts; welcome. On the wall to the left are agendas if you wish to follow the meeting. Also, if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

**COUNCIL PRESIDENT ISTNICK** – Roll call.

**1. ROLL CALL**

Roll call for the evening found the following Council Members present: Milan Chovan, Jill Creamer, Sarita Cunningham, Mike Gregg, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 9 present

**2. INVOCATION**

**COUNCILMAN CHOVAN**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILMAN CHOVAN**

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilman Chovan.

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT ISTNICK** – Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

**COUNCIL CLERK ROLLAND** – Yes, they are.

**COUNCIL PRESIDENT ISTNICK** – Are there any additions or corrections to be made?

**COUNCIL CLERK ROLLAND** – No, there are not.

**COUNCIL PRESIDENT ISTNICK** – Then the minutes stand approved as written.

**5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA**

6. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 39 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to sign the signature page of the Analysis of Impediments to Fair Housing Choice (AI), and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – Yes. We talked about this at last week's Committee meeting. We've been talking about this for a month or two now. If anybody has any questions or information they need, we can get Bev up here and talk about it. Otherwise, I'm going to waive the rules. Seeing no questions, I'd like make a motion that we waive the rule requiring three separate readings and bring Ord. No. 39 – 2019 forward for passage.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Chovan. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 39 – 2019 has passed. Ord. No. 40 – 2019.

**ORDINANCE NO. 40 – 2019**

**BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept donations from the Massillon Heritage Foundation and a private citizen on behalf of the Massillon Fire Department.

**COUNCIL PRESIDENT ISTNICK** – Councilman Chovan.

**COUNCILMAN CHOVAN** – Thank you, Madam President. As the introduction said, retired Fire Captain Jack Darnell passed away in this last year. And so, two donations have been made to the Fire Department to be used for fire prevention items in his memory. One is a \$35.00 donation from Massillon Heritage Foundation and the other is a \$100.00 donation from a private citizen. Are there any questions or anybody wanting to discuss this at all? Okay, then I move that waive the rule requiring three readings and bring Ord. No. 40 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Irwin. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 40 – 2019 has passed. Ord. No. 41 – 2019.

**ORDINANCE NO. 41 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive Requests for Proposals and enter into contract with the lowest and best vendor, upon the approval of the Board of Control, for Information Technology Support Services, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. As discussed last week, we are due to have a contract for our support system related to our IT. They want to put this out to bid and then accept the lowest and best bids. Are there any questions of discussion? Yes, Ms. Litman.

**COUNCILWOMAN LITMAN** – I'm sorry, I was not present at our Work Session last week. Is this a contract that we could have a copy of the current contract so we would know what is being adjusted?

**COUNCILMAN LEWIS** – Madam Mayor? The Mayor has indicated that she would be happy to e-mail that out to everyone.

**COUNCILWOMAN LITMAN** – Thank you.

**COUNCILMAN LEWIS** – Do we have any objection to moving forward or would we like more time to review the current contract? Okay. Then I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 41 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Manson. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 41 – 2019 has passed. Ord. No. 42 – 2019.

**ORDINANCE NO. 42 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2019, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This ordinance is just appropriating \$500.00 within this grant fund for supplies, materials and postage. Any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 42 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 42 – 2019 has passed. Ord. No. 43 – 2019.

**ORDINANCE NO. 43 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations for the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This ordinance is to make an appropriation for \$135.00 for supplies, materials and postage. However, I'm not able to recall exactly what for, so, would the Budget Director or the Mayor like to come forward?

**COUNCIL CLERK ROLLAND** – Ed, I believe this is the \$135.00 donation for the Fire Dept.

**COUNCILMAN LEWIS** – It's the Fire Department match-up?

**COUNCIL CLERK ROLLAND** – Yes.

**COUNCILMAN LEWIS** – Okay. That's what I thought, I just wanted to verify. So, it's the \$135.00 donation to the Fire Dept. Any questions or discussion? I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 43 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Manson. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 43 – 2019 has passed. Ord. No. 44 – 2019.

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation from Greif Packaging, LLC, on behalf of the Massillon Police Department.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is a \$3,000.00 donation that Greif is making to the City on behalf of the Police Department. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 44 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Roll call for suspension.

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 44 – 2019 has passed.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

The Repository - \$ 544.00 Publication of January Ordinances

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we pay the bills.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Roll call.

9 yes to pay the bills

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The bills will be paid and charged to their proper accounts.

**10. REPORTS FROM CITY OFFICIALS**

Auditor's Report – February 2019

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we receive the Auditor's Report.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Roll call.

9 yes to accept the Auditor's Report

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The Auditor's Report has been accepted.

**11. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session will be next Monday, March 25, 2019 at 6:30 p.m.

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

**13. CALL OF THE CALENDAR**

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Thank you, Madam President. I just wanted to bring back to the table an ordinance that was tabled back in August of 2017. This was under the Health, Welfare & Building Regulations Committee. We have been working on this ordinance or a revision of this ordinance pertaining to vacant buildings. This ordinance is No. 76 – 2017. We have had a draft of the ordinance e-mailed to all of us. It would be under Chapter 1331. Does anyone have any questions regarding this? Yes, Mr. Lewis.

**COUNCILMAN LEWIS** – I thought we addressed this 2018. If we don't have an ordinance from 2018 then my understanding would be that we can't call a 2017 ordinance. We can only call forward a 2018 ordinance. So, we'd have to draft new legislation.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – You may be right on that. We didn't realize that this was in 2017. I think we need to check this date once. It seems like it was last year, not two years ago.

**COUNCILWOMAN LITMAN** – I thought we had further discussion but we did not, technically, untable it.

**COUNCILMAN MANSON** – But it was done in 2018. If it was done in 2017, we need to verify the date.

**COUNCILWOMAN LITMAN** – Diane, would you be able to verify if there's any further legislation or any tabling or untabling that has been done?

**COUNCIL CLERK ROLLAND** – The only thing that I received was the new documentation that I just gave to you tonight that said "New" on it. But there was no new request for legislation and I do remember that Ed spoke of that the last time we talked about untabling it because it was not this Council that tabled it. But, I don't remember anything since then pertaining to the Registration of Vacant Buildings in 2018.

**COUNCILWOMAN LITMAN** – Okay. Well then perhaps Dave if you would not mind drafting a new request for legislation for new legislation, we'll attach again a copy of what has been revised in the ordinance and hopefully then if there's any questions, we can address them in Work Session next week.

**COUNCIL PRESIDENT ISTNICK** – So it remains tabled until we get something new from Mr. Maley?

**COUNCILWOMAN LITMAN** – It will.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCILMAN LEWIS** – Technically, it's not untabled. It's just dead.

**COUNCIL PRESIDENT ISTNICK** – It's dead?

**COUNCILMAN LEWIS** – It died with the 2017 Council.

**COUNCIL PRESIDENT ISTNICK** – So they're bringing new legislation forward?

**COUNCILWOMAN LITMAN** – I want to ask one other question, though. Is there a time limit for tabling; a legal time limit for tabling an ordinance or does it have to be brought back to the floor and then dismissed versus...?

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – To my understanding and it could be flawed, is that we can table indefinitely. However, when a current session of Council ends its term, any unaddressed business would end with it, so on a table. So, when 2017 died and we moved into 2018, we had a new session of Council. But I could be flawed, I mean, that's just my understanding of it.

**COUNCILWOMAN LITMAN** – Well, I'm not questioning that. Perhaps we could ask the Law Director.

**COUNCIL PRESIDENT ISTNICK** – Ms. Scassa, could you come forward?

**COUNCILWOMAN LITMAN** – Just so I know for next time. I wouldn't want to have the same situation apply.

**ANDREA SCASSA** – I would concur with Mr. Lewis' assessment. Again, you are talking about legislation that was contemplated and voted to table indefinitely by a different body. So, it wouldn't make sense that you could go back in history or go years back and untable legislation. So, I believe and I couldn't remember if we had any new legislation in 2018, but I do think the proper course would be just to bring forth a new legislation request, in addition to the fact that it's had numerous revision and I think just from a cleaner standpoint, just bringing forth what you have worked on this year and move forward that way.

**COUNCILWOMAN LITMAN** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – I'd like to ask a question please. If the Council was exactly the same would that matter or just because their term was over and a new Council came on? Even if their the same, it doesn't matter?

**ANDREA SCASSA** – I would say because the term ended.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCILWOMAN LITMAN** – Thank you. Then I will withdraw my motion.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ms. Litman's motion has been withdrawn.

#### 14. **THIRD READING ORDINANCE AND RESOLUTIONS**

##### **ORDINANCE NO. 23 – 2019**

##### **BY RULES, COURTS & CIVIL SERVICE COMMITTEE**

AN ORDINANCE repealing Section 509.10, BEGGING, CHAPTER 509 – DISORDERLY CONDUCT AND PEACE DISTURBANCE of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. We've had a lot of discussion on this issue. We've had three readings, obviously. We've also had public comments during Work Sessions. I think that it's clear that we need to move forward on this. So, I'd like to make a motion. First of all, though, I'd like to ask for any questions or comments.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – I was just concerned that you were going to move so fast that we didn't get to ask any questions or comments.

**COUNCILMAN GREGG** – My fault.

**COUNCILMAN MANSON** – I don't think we've had enough comment on this. I think one of the best examples we have is just what we just talked about with this vacant building thing. I thought we had talked about it last year. I didn't realize it went clear back to 2017. But, I think when I opened the discussion on this last week, the first thing I said is that we have opened ourselves to possible liability. I recognize that fact. But then, how we handle that, I think there are different ways that we can handle it and quite honestly, I feel like we have not done a very good job of handling it and I'm not blaming any department individually. In fact, I will take part of the blame because I'm Pro Tem and when this thing came to the Committee, I should have stopped it before we moved it anywhere. We do not have to bring everything forward immediately. I think this should have been handled with the Law Department and our Committee before it even came to our agenda. I think that as we've talked about this thing, we have more and more and more information on this and I think what we're doing, nobody wants to be hard hearted. But we are looking at the side of it as far as the beggar or the panhandler and I agree that they should have the right to be able to do that somewhere, sometime. But, we are not paying any attention to the residents. I believe that there's no question in my mind that a majority of the residents feel that we need a panhandling ordinance. I also believe that it



may be a significant majority. In fact, I heard Mr. Chovan discussing it with a previous resident of Massillon just last Wednesday and that was their discussion about it. And the guy said, well, why don't you put it on the ballot then and take a look at it? And he may be right on that. Maybe we should work up legislation or something and put it on. I don't exactly understand the exact way a referendum works but I don't know what would apply if we wanted to do that. But I don't think we're give our people, our residents fair representation on this. When the information went out in the newspaper and it said that people could panhandle door-to-door on private property; does anybody dispute that that was in the paper? I believe it was in the paper. I don't believe that anybody should be allowed to panhandle on private property. I believe we have a right to have an ordinance. If there's an emergency, I don't care if they come to my door, I will welcome them. But, otherwise, I don't want them panhandling in my neighborhood. They can walk up and down my street with a sign all day long if they want to and if that affects you and you want to go out and give them some money, that's fine and dandy. But, I don't believe they should be doing that. Also, I have a problem with aggressive panhandling and so do the residents and that's what a lot of them refer to. I have researched ordinances and I put plenty of time in this over the last six weeks and there are ordinances that have been written and passed in 2019 and they're being enforced right now. Prime example is Daytona Beach, Florida. They passed one in January and sometime and like I told somebody, my guess is probably about the week before the Daytona 500, they cited 32 people in 4 days and they said all of a sudden just about everybody disappeared that was panhandling. So, I think we owe it to our citizens to take this and do some more discussion. You see what happens here with an ordinance. It gets tabled and probably over 90% of the time, they probably never come back. They just die. That's my fear. If we keep that in there, and if we say, look, we want this thing back in tow or three months, I don't want it to go beyond the end of the year and we want something that we can pass right here that protects our residents as far as panhandling and begging. I don't think this is being cold hearted at all. I mean, there are cities all over this country, they're all over this. Many years, this never got to the Supreme Court. Supreme Court can refuse to listen to things and they did. They just accepted the lower court rulings and there were rulings all over the place on this. So that's why this thing ended up in the place that it is now. But for probably for 100 years, we didn't have any problems. We have an ordinance that was put on in 1946 by people just as bright and as concerned as all of us sitting here and I believe this is the way we should handle this thing. We should table it and then we should get together and replace the ordinance just like we're doing with the vacant building ordinance. I'm not saying that we just ignore it. I talked to Law Directors in other cities and a couple of them, the first thing they said was just write a letter directing and I brought this up the other night; directing your police not to enforce that because there may be problems with that ordinance, that legislation and we can tell them, okay, you been telling us that we have the laws to do it and we'll use those in the interim until we have this legislation to bring forward and I will not be voting for this until we have the new legislation. I don't think that's unreasonable right now. I don't to give away my right to speak some more.

**COUNCILMAN GREGG** – Does anyone else have any questions or comments? Councilman Lewis.

**COUNCILMAN LEWIS** – I think in many ways, I'm probably am in agreement with Mr. Manson, but in small agreement. I also agree that I'm not in favor of panhandling or anything or the door to door panhandling. I think the newspaper presented a misrepresentation of this issue and started the conversation off in a way that doesn't truly represent what we're trying to discuss. You're more discussing that here is the right of the citizens of this country to say as they please. If someone comes to your door, currently with the conversation around this issue,

or they're trying to sell you something or share the gospel with you, we don't have a problem with that. But if they're coming to ask you for money, that, to me is a discrimination issue that we're saying we are going to limit the types, as a Council, and that certain people are allowed and others are not, that does not seem like the spirit of the country and the laws that are in this country as far as being around and being laws that have been around in the last 100 years is fine. Our country is chock-full of history in which also has been around for 100 years that were found to be unconstitutional, violating the rights of people and many times much more devastating than this current one is about. I can understand people's concern, but I always refer back conscience, we all have equal rights just because a majority may feel a certain way. Even though we live in a democracy, we have experienced in the past where sometimes that can cause issues, especially people are being violated and feel that way during menacing, loss resident laws, disorderly conduct laws, trespassing laws, all of these things are already in place and already effective. This week I have received a vast mix of phone calls. I informed them that there are other laws in effect and most of the citizens that I've spoken to agree that either way, if someone comes on your property then tell them that you're going to call the police. If someone comes on your property and you don't want them there, regardless of the ordinance, you're going to call the local law enforcement. A minor misdemeanor only carries a fine. The other ones that are actual misdemeanors could allow the officer to relocate the person, if necessary. I don't agree with the belief that you just don't enforce it. So, my recommendation is to move forward with the repeal this evening, but I agree with Mr. Manson to continue to explore the issue again and get a better understanding of the current laws in affect and maybe cooperate with the newspaper on these issues so that they know how to best go about making sure and ensuring that they are safe by utilizing the current tools.

**COUNCILMAN GREGG** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – I agree with both Ed and Paul. I agree that we need to continue this conversation and see if there's a way that we can structure a new ordinance, but at the same time, we all stood here and took an oath to uphold the codified ordinances of the City, the higher laws of the State of Ohio and the United States Constitution and know now what we know and knowing that we have a law that could be deemed unconstitutional on our books in the City of Massillon means we all should be taking action, not just on enforcement right now, we'll work on it. We've all known about this for six weeks. At this point, I think we all have been educated that this ordinance is unconstitutional. It is our job to uphold the Constitution. Above all else, I think we all need to be responsible and do that tonight. Understanding that even with the ordinance on the books, because it is unconstitutional, that it is not enforceable.

**COUNCILMAN GREGG** – Anyway, the comment I would say is I think the questions that I've received from the community more so on a case-by-case, situation by situation basis. I want to make sure that my conversations with others like as Mr. Lewis has stated that there are many other ordinances on the books. Whether it's simply the no trespassing when someone comes on your property. They are trespassing and therefore, they are breaking the law and they should be calling the police. Everyone is focusing on this panhandling ordinance which I'd like to know how many times its actually been enforced since 1946, when it was originally written? However, situations have occurred where it may be other ordinances that would be more applicable and have been used when there's been any citations in this situation. I'm in agreement with the repeal as well, because its unconstitutional.

**COUNCILMAN MANSON** – I'm afraid if we rescind this ordinance, it'll get lost in the shuffle and you know how I feel about that. From the comments and calls and e-mails that I have received, I will be voting "no". I don't know why we can't possibly table it. I don't understand, but I definitely feel there has to be more research done on this.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – Thank you, Madam President. As I stated before, I am not in favor of repealing this. I'm in favor of revisiting it. I feel that we need to provide reasonable restrictions to protect the health and welfare and safety of our citizens and visitors and in doing so, we have to recognize that number. The constitutional rights of a person such as asking for money. So, I think we need to take a look at this again and I feel that we're just repealing it to be hard to come back and address something else.

**COUNCILMAN MANSON** – I would like to have the Law Director, which is the law department in any municipality issue a letter like we just discussed and suggest that the police not enforce the ordinance because we have a problem with it and we go back and study it. We may have to change what we can do but, we are in contact with the police department on a regular basis, the police chief and administration so we can get recommendations.

**ONCE AGAIN THERE WAS A GLICH ON THE FLASH DRIVE!!! THE "DRAGON" TRANSCRIBED MINUTES ARE ALSO ATTACHED. I APOLOGIZE FOR ANY INCONVENIENCE!!**

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 30 – 2019**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE to accept the dedication of road right of way and easements for Phoenix Avenue S.E., located in the Neocom Industrial Park in Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. Second reading.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilwoman Starrett. Ord. No. 30 – 2019 has received second reading.

**16. NEW AND MISCELLANEOUS BUSINESS**

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, if I could, I would like to request that we be presented with other laws in effect by May 18, 2019 regarding the panhandling matter.

**COUNCIL PRESIDENT ISTNICK** – Okay. Anyone else?

17. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

18. **ADJOURNMENT**

**COUNCILMAN CHOVAN** – I make a motion that we adjourn.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Meeting adjourned.

\_\_\_\_\_  
DIANE ROLLAND, COUNCIL CLERK

\_\_\_\_\_  
CLAUDETTE ISTNICK, PRESIDENT

Council Mtg. 3/18/2019

Walk into the massive city Council meeting for Monday, March 18, 2019 we have in attendance with us. The following city officials. Mayor Kathy had a zero pairing log directory and risk as a economic development director David Bailey income tax budget director Barbara Sylvester on behalf of counsel. Congratulations part and from the housing director Beverly Lewis. We also have an attendance with us in other important people. We have some students from Jackson high school and from St. Mary's Pak 903 we have a couple of Boy Scouts welcome on the wall to your left our agendas for anyone wishing to follow tonight's agenda on number five on the agenda is where the public can speak on any topic that does appear in tonight's agenda and then again on number 17 is where the public can speak on any topic that did not appear in tonight's agenda. I'd like to remind you if you have your cell phones to meet them or set them to vibrate. Will call children creamer Cunningham Greg Irwin Lewis Litman Manson and Spirit roll call of nine present metaphorical present and accounted for. Counseling children think you would you please join me in the Lord's prayer and the Pledge of Allegiance is as is as is as is will is is is is is is is is for the minutes of the previous meeting transcribed and open for public viewing. Yes, they are there any additions or corrections to be made whether or not and then stand approved as number five on the agenda were anyone from the audience may come forward to speak on a topic that does appear on tonight's agenda. If you wish to do so. Please report. State your name, address, topic you wish to discuss and then in front of you. There's a piece of paper that you have to sign your name and address as well so we have the information for our records and I'd like to remind you please limit your comments to three minutes. Nobody is going to introduction of ordinances and resolutions ordinance number 39 2019 an ordinance authorizing the mayor of the city of Madison, Ohio to sign the signature page of the analysis of impediments to fair housing choice. The AI and declaring an emergency counseling Manson microphone. Please use last week's committee meeting we talking about this for all anybody is a questions or information in the book here. Talk about what is going to will all we see no questions like to make a motion to waive the rule requiring three separate readings and bring ordinance 39, 2019 for second by counseling children will call for suspension creamer Cunningham Greg Irwin Lewis Litman Manson spirit, and children. Nine yes, for suspension and for passage Cunningham Greg Irwin Lewis Litman Manson spirit children and creamer nine yes for passage. Think men click ordinance number 39 2019 is passed ordinance number four 2019 an ordinance authorizing the director of public service and safety of the city of Boston, Ohio to accept donations from the mass and heritage foundation and a private citizen on behalf of the mass of fire counseling children is the introduction said the fire Capt. retired Jack Darnell post with us in this last year and so to donations be made to the fire department to be used for fire prevention items in his memory. One is \$35 donation for meso heritage foundation and the other is a \$100 donation from a private citizen. Are there any questions or would he discuss this move that we waive the rule requiring three readings bring ordinance 40 – 201944 seconded by Councilman Irwin will call for suspension. Greg Irwin Lewis Litman Manson spirit children creamer and Cunningham nine. Yes, for suspension and for passage. Irwin Lewis Litman Manson spirit children creamer Cunningham and Greg nine yes for passage. Think men click ordinance number 40 2019 is passed ordinance number 41 2019 an ordinance authorizing the director of public service and safety of the city of Madison, Ohio to advertise for and

receive requests for proposals and enter into contracts with the lowest and best vendor. Upon the approval of the board of control for information technology support services and declaring an emergency counseling. Lewis discussed last week, we will have the contract for our support system related for RT want to put this up the good minutes of the questions or description work session last week is a copy the current so we would know what is being adjusted. As you know about the direction moving forward we would like more to review the current promotional spend rules requiring three readings bring ordinance number 41 – 201946 by counseling Manson will call for suspension. Lewis Litman Manton Manson spirit children creamer Cunningham Greg and Irwin nine. Yes, for suspension and for passage. Litman Manson spirit chosen creamer Cunningham, Greg Irwin and Lewis nine. Yes, for passage. Think men click ordinance number 41 2019 is passed ordinance number 42 2019 an ordinance making certain appropriations from the unappropriated 1222 waste management grant fund for the year ending December 31, 2019 and declaring an emergency. Lewis is ordinance appropriating \$500 grant fund for support questions or discussion. Seeing the promotional spend rules requiring three readings bring ordinance number 42 to 2014 for both second by Councilman spirit will call for suspension Manson spirit chosen creamer Cunningham Greg Irwin Lewis and Litman nine. Yes, for suspension and for passage spirit children creamer Cunningham Greg Irwin Lewis Litman and Manson nine. Yes, for passage. Think men click ordinance number 42 2019 is passed ordinance number 4320 19 an ordinance making certain appropriations from the unappropriated balance of 1100 general fund for the year ending December 31, 2019 and declaring an emergency counseling. Lewis was ordinance appropriation \$435 to support girls and poster everybody will recall force we barely afford it. I believe this is I believe this is the hundred \$35 donation from the fire department so it's under \$34 grant for the fire department any questions or description spend rules requiring three readings bring ordinance number 43 – 201944 seconded by counseling Manson will call for suspension children creamer Cunningham Greg Irwin Lewis Litman Manson and spirit. Nine yes, for suspension and for passage creamer Cunningham Greg Irwin Lewis Litman Manson spirit, and children. Nine yes for passage. Think men click ordinance number 43 2019 is passed ordinance number 44 2019 an ordinance authorizing the director of public service and safety of the city of Madison, Ohio to accept a donation from Christ packaging LLC on behalf of the massive Police Department counselor Lewis \$3000 grant for grief is making to three weeks department requesting the structure promotional spend rules requiring three readings bring ordinance number 44 – 2014 for second by Councilman Litman will call for suspension Cunningham Greg Irwin Lewis Litman Manson spirit children and creamer nine yes, for suspension and for passage Greg Irwin Lewis Litman Manson spirit children creamer and Cunningham nine. Yes, for passage. Think men click ordinance number 44 2019 is passed. Is there any unfinished business. No there is not any petitions. In general, indications of any bills, counseling claims yes there is a bill in the amount of \$544 to the repository for the publication of our January ordinances Lewis emotional by Councilman Litman Irwin Lewis Litman Manson spirit children creamer Cunningham and Greg nine yes to pay the bills. Men click paid and charged to their proper accounts 30 reports from city officials. Yes, we have the auditors report for February 2019 Lewis make a motion of the auditors report by Councilman Litman will call Lewis Litman Manson spirit children creamer Cunningham

Greg and Irwin nine. Yes, to accept the others report. Think men click the outer support has been accepted. Reports of committees. Our next work session will be next Monday the 25th at 630. Are there any resolutions request councilmembers seen the call of the calendar, Councilman Litman, Pres. I just wanted to bring back to the table and ordinance that was tabled back in August 2017. This was under the health, welfare and building regulation committee. We have been working on this ordinance, or any revision of this ordinance pertaining to vacant buildings. This ordinance number 76 – 2017. We had a draft of the ordinance email to all of us it would be under Chapter 1331 one questions regarding Mr. but we address this in the morning from 18 spirit would be that we can't call 2017 ordinance we will call for 18 ordinance directly with counseling Manson microphone. Please write the we did realize that this was 17. I think we need to check the state wants to see what it was last year about two years, but it was built in 18 if it was done so that's what we need to verify that the soul is the only thing that I received was the new on documentation. I just did to you tonight the set new one. But there was no new request for legislation and I do remember that Ed spoke of that. The last time we talked about on tabling it because it was not his counsel the table but I don't. I don't remember anything since then pertaining to the registration of vacant buildings and 2018. If you would request that this nation will attach a copy of what has been revised in the ordinance questions we can address the work session next week so that it remains tabled until we get something new from Mr. Bailey it's not it's it's just something so that only new legislation for the question. Is there a limit 14 on a legal time limit for tabling and ordinance or does it have to be brought back to the floor in the next verses Lewis could before his reading. People would definitely however when the current session of counsel's term in the trust business would so people so if you 17 the 18 but could before you can forward to next time the same situation occur with Mr. Lewis were talking about legislation that was contemplated to people and definitely a different so it wouldn't make sense to go back in history on people legislation. I believe I can remember. We actually had any new legislation in 20 but I do think that the proper course of the bring forth new legislation. In addition to the numerous revision just from the cleaner standpoint, just bringing forth what you work on this year for the question. If the Council was exactly the same with matter, or just because their term was over, and a new council came on the same it doesn't matter because the term will withdraw my motion. Thank you Mrs. motion is the third reading ordinances and resolutions ordinance number 23 2019 and ordinance repealing section 509 point 10 begging Chapter 509 disorderly conduct and peace. Disturbance of part five general offenses code of the codified ordinances of the city of Massillon present a lot of discussion on this issue. The three readings obviously also had public comment during work sessions. I think that is clear that the we need to move forward on this. So I like to make a motion for small, ask questions, comments, Manson microphone is concerned the questions are, on the building of comment on this. I think one of the best examples we have is just what would this talk about with this vacant building thing I thought we talked about last year's bill is 2017, but I think when I opened the discussion on this last week. The first thing I said as we open ourselves. But I recognize that, but then we will all I think you're different ways we can handle it. And quite honestly I feel like we not very good job not blaming any department individually affect the part of the blame goes on pro tem. This thinking the committee I should stop it before we moved it anywhere. All we do not have

to bring it up everything for the I think that should've been handled with the law department and our committee before it even came to our agenda for the as we file is we've talked about this thing we have more and more more information on this and I think we were doing all nobody wants to be hardhearted, but we are looking at the side of the scores the bigger the that I agree they should have the right to be able to do some work sometime but we are not paid no attention to the residence. I believe the there is no question in my mind that a majority of the residents feel that we need to pin him going all. I also believe that may be a significant majority affect their Mr. children discussing it with the previous resident of mouse lung just last Wednesday and that was their discussion about all the guys will want to put on the ballot to take a look at then you may be right on. Maybe we should work up a roof will legislation or something to put it on. I don't exactly understand the exact way the referendum works but I don't know what would apply if we wanted to do that but I don't think were giving our people are residence for representation when the letter went out when the information well newspaper it is said that people could pin handle door-to-door on private property. Is anybody dispute that that was in the paper. I believe it was in the paper on. I don't believe that anybody should be allowed to pin handle on private property. I believe we have a right to have an ordinance if there's an emergency dental care for come to my door will but otherwise I don't want. Family and my neighbor walked up and down my street with a sign all day long they want to and if that affects you if you want will give them some money but I don't believe they should be doing also have a problem with aggressive and sold the residence and that's what a lot of them refer to all, I have researched ordinances and I put plenty of time in on this over the last six weeks. There are ordinances that have been written past 2019 are being enforced right prime example is Daytona Beach, Florida the past one January and sometime and I like I told somebody that my guess is probably call about the week before the Daytona 500. The cited 32 people in four days and he said also. Not everybody just about disappeared. So I think we will do our citizens to take this and do some more discussion to see what happens here with an ordinance against table probably 9/90% of the time they probably never come back to just the that's my fear. If we keep that in there and if we say look with what this thing back two or three months. I don't want to go beyond the year and we want something that we can pass right here that protects our residents the scores panhandling. I don't think this being coldhearted all the arts cities all over this country. They're all over this for many years. This this never got the Supreme Court Supreme Court refused to listen to things in the they just accepted the lower court rulings and rulings all over the place so that's why this thing ended up police it is, but for probably 100 years. We didn't have any problem we have an ordinance that was put on a 1946 by people just right and is concerned as all of us sitting here that I believe that this is the way we should. We should that we should get together and replace the ordinance just like we're doing with the vacant building ordinance. I'm not saying we just ignored. I talked to law directors and other company in other cities. A couple of the first thing they said is just write a letter directing that I brought this up the night directing your police not to enforce that because there may be problems with ordinance that legislation and we can tell them, okay, you been telling us that we have the laws to do it will use those in the interim, until we have this legislation to bring forward and I will not be voting for this tool. We have the new legislation that I don't think that's unreasonable right now I don't



give away my right to speak some more. We continue discussions anywhere else have any questions or comments. Mr. Lewis, I think in many ways. I probably am in agreement with Mr. but in some small agreement. I also agree that I'm not serving favorite panhandling or anything to report the door for pin handling those newspaper was a misrepresentation of this issue and start the conversation off in a way that doesn't truly represent what were trying to discuss your more discussing here is the right of the citizens of this country say as they please. If someone comes to your door. Currently with the conversation around this issue has been as long as they're trying to sell you something or something or share the gospel with you. We don't have a problem with the but if they're coming to ask you for money than we do that to me is a discrimination issue that we are saying we are going to limit the types in the con pencil and speech and that certain people are allowed in certain others are not met does not seem like the spirit of the country and the laws that are in this country as far as it being around and being laws that have been around in the past for 100 years is fine. Our country is chock-full of history in which also been around for 100 years were found to be unconstitutional, violating the rights of people and many times much more devastating than this current start about. I can understand people concerned, but I always refer back to my cousin always equal right just because majority may feel a certain way. Even though we live in a democracy. We have experience in the past where sometimes that can cause issues, especially people are being violated feel that way during menacing loss resident laws disorderly conduct laws, trespassing walls, all of these things are already in place, and already effectively part the citizens this week that a vast mix of received phone calls. Most come and discuss with them that there are other laws and effectively utilize most citizens are spoken to a degree than this seems to be an issue that either way if someone comes on your property you're going to call the police. There's no way around your property and you don't want them there, regardless of the ordinance not call local law enforcement minor misdemeanor only carries a some these other ones are actual misdemeanors that could allow the officer to relocate the person if necessary. I don't agree with the belief that that you just the don't force it will force you to seem like it's meeting open so my recommendation would be to move forward with repeal this evening, but I agree with Mr. Manson to continue to explore the issue gain a better understanding of the current laws in effect and maybe cooperate with the newspaper on these issues so that they know how to best go about making sure and ensuring that they are safe. Utilizing the current tools counsel spirit. I agree with both Ed and Paul. The way I agree we need to continue this conversation and see if there's a way that we can structure a new ordinance but at the same time we all stood here and took an oath to uphold the codified ordinances of the city of their higher the laws of the state of Ohio and the United States Constitution and knowing now what we know and knowing that we have a law that could be deemed unconstitutional on our books in the city of Massa means we all should be taking action, not just on enforcement right now will work on it. We all know about this for six weeks. At this point I think we all been educated that this ordinance is unconstitutional. It is our job to uphold the Constitution. Above all else, and I think we all need to be responsible and do that tonight. Understanding that even with the ordinance on the spot because it is constitutional. That is not enforceable. Anyway, the comment I would say is I think the questions that I've received from the community more so on a case-by-case situation by situation

basis. What would I do to my door when I do if I was home alone and someone was soliciting funds going on. I want to make sure that my conversations with others that Mr. Lewis has stated that there are many other lies on the books. Whether it's simply the no trespassing that someone comes on your property. They are trespassing and therefore they are breaking the law they should be calling the police, not just handling everyone is focusing on his team handling ordinance which I'd like to know how many times it's actually been enforced since 1946 when it was originally written and very few times. However, situations have occurred where it may be other lies that would be more applicable and have been used when there's been any citations in this situation I in agreement with the repeal as well because it's an unconstitutional 24 times since 1995. It's actually been forced 14 percent. I'm afraid we resend this ordinance is lost in the shuffle and you know how I feel about it. Comments on the calls and emails that I received and I will be voting know why we can't possibly table. I don't understand, but I definitely there has to be more research done on this. Thank you Cremer thinking that the president, as I stated before, I am not in favor of repealing this. I'm in favor of revising its I feel that we need to provide reasonable restrictions to protect the health and welfare and safety of our citizens and visitors, and in doing so, we have to recognize the number. The constitutional rights of a person who would like to. They can't handle. Ask for money so I think we need to take a look at this again and I feel that we just repealing it to be hard to come back and address anyone else. Manson would like to have the law director, which is in the laundry department in any municipality [Issued a letter like we just discussed at the suggestion of the police that maybe you should not enforce a certain walnut law in the ordinance that maybe we have a problem we want to go back and study it. We may have to change we can do that we are in contact with the police department very regular basis over police chief and ministration so I can get so our offices recommendation. However, we are also not so if they choose to disregard our recommendation. We deal with what comes Manson section 1 point but still on the books they feel are something outrageous that happens. The only one is the use if they really had to know will take the risk of but I don't accept the because some other cities that had a problem with the ordinance that we have a problem with dollars. I don't accept that. I don't see the prudent move is to table just like we did with the vacant buildings just heard her say it's not that is not uncommon for a lot of equipment to do that. I've talked to many people involved outside of mouse that says that they do that and I think that's a prudent way to do it. We leave it there for somebody panhandles and gets aggressive if it takes us two or three months okay to use the laundry telling us that you have that you can use. But if that doesn't work if they want to resort to this line but our recommendation is that they don't do anything until we replace it with this. I just don't think were handling this right. It sounds like for most members of counsel were very similar thought process and that is that we are concerned about the constitutionality of this will none of us desire to infringe on anyone's sound like most of us are stating the concern for our citizens safety do not wish to infringe on the safety of our citizens are where we very are referred from one another would be whether or not we should table this or if we should just know repeal it in your hearing for cabling is that we don't want this to be lost in the shuffle not acted upon quickly leaving the law in place. The premise I would assume would then be that it would force us to look at it as a position of liability from being on the other side of the argument, I would be able to

argue just as others have, that I would be concerned the action would not be taken quickly or swiftly on this matter and we would continue to be a law on the books that exposes us to pension liabilities where as if we repeal this. We leave ourselves of any potential liability and we continue to work for four if it does not get brought up again does not get work on and that lies at the fault of the members of council, desire to have it done so you voice your concerns with it and that's just not the three that have the most opposition with all of us. If we are concerned with the similar correct but then we also have responsibility to not allow it to get lost in the shuffle. My recommendation would be still to take the first action, which I believe most prudent action of anything would be to repeat yourself of any liability as you continue to work through issues. To me it does not make sense to continue to leave yourself open to it while you're working for different working for different solution. Counseling children listened often on for the last six weeks and talk to a lot of people, but of myself. I don't think our issue here is whether we condone panhandling or we want to subject our residents to look we don't that's pretty apparent from everybody that's speaks her own counsel. Personally, I can't see a way to word anything in the existing ordinance that could not be taken apart by the court by the ACLU by whomever would come after the city and they would call this nothing more than attempt to find a gray area in the United States Constitution that would allow us to single out somebody that spanned him. So I guess I would have to grieve the mic on my in my mind the best course of action is to repeal this thing. I will have to deal with trying to reword it. We do have other books that there were other laws and other ordinances are booked to protect against aggressive behavior from some of the panhandling that you think Linda you might mention something about somebody coming up on your front porch and call the police for trespassing. I believe you have to asked him to leave first before that's enforceable so you can't just say there's someone on my porch. You have to say. Would you please leave my property, but my point being, we have things here that through interviews with the Police Department and the subsequent publishing is in the paper. We can get direction to the citizens without this will be on the books as to what their rights are when somebody is overstepped their bounds to me. If somebody comes up to me and says can you spare some change and if I say no thank you I really don't want to I can't. If they say okay thanks have a great day and walk away. That's nothing that they should be charged with anything for it. They put their hands on my arm. If they follow me in the my house they got a whole other problem and it's not the one that subordinates but I may not connect. That's my view on it and so if we bring this court. I will vote to Manson like like you said you not even in favor of replacing just by trying to change the language a little bit. That's what it sounded like I'm exactly the opposite. I wanted ordinance absolutely references either baking or panhandling. One of the other or both want that perfectly clear. And I'm not talking about borrowing from our city. I'm talking about private property, talking about aggressive as I said, they walk up and down the street from my house all day long with the sign that they want to, that's not my property that's the city's property and I feel they should be able if they do in the streets downtown here by the bus station. I have no control over that that happens all the time but I do believe we need an ordinance that specifically references baking and pain and show me where that's unconstitutional, and along with it, but the Daytona Beach hired a constitutionalist to work with their law department to create their ordinance and they do reference pin and I think that's thing I

don't want to have to create some kind of situation with the laws that we have you think that they still work will and just table this thing let us work on something new that has these things and bring it back and vote to amend the ordinance we have whatever you want to do what everyone if you want to legislation. I don't care how we bring back in a timely fashion. I still say the thing one went to the paper that said the panel handle door-to-door is that's you may sit in a but I believe the still going to be legal. There's nothing to stop them with just going door-to-door. And I don't not believe they should be able to do. The only private property were talking about the public streets. The public sidewalks and I believe that's okay. I don't want to stop entirely, but I want to regulate so our citizens to feel secure with and there is a problem there. When you have the as many people as we have voiced their opinion on. There are many people don't even care about the fact that all probably don't even come in the downtown mouse, but there are a lot of people who want that they wanted their handling this thing the way I said about the law department issued a letter guaranteed by the city. Other people at that protects us, and I trust their advice and as I said we have an ordinance is the example already was allowed to go two years. Your whatever the exact date on what to one of the new counsel I want to see this thing right now I don't want to wait six months. I will handle right now and I believe having it on their put on her for two months and it's beginning get it done. You talk about constitutionality or have an argument over New Zealand right now to change them was a sitter to take 10 days to do well is still free there still free country and have the Constitution and I don't know what it says you probably don't know either. You probably don't know either to bring to the Council's attention that I do have a copy trust ordinance number 541 2005 and as long as you have something posted as long as it is a sign which posted a second door have to be addressed criminally trespassing Manson here last week and one of the people this year to comment on this. They were told they could put in all solicitations. They don't want to put in the solution solicitations. I don't want to have to do that anywhere. I don't want to have to put the station sign. But I want people understand that they can't just wonder our neighbor as that's where I'm coming from. I don't want to know solicitations. I don't want to put a note trespassing will certainly trust no trespassing signs. The trees in our yard the country. This is very simply handle by just simply tabling it to a date and having an ordinance. By that time under this under this counsel that goes for 11 months and goes into the next counsel take care of it right now just deal with the table this thing and do it again. Long director is there something wrong with a letter directing the Police Department that we may have a problem with an ordinance. I think she admitted that we can do that counsel Greg present the concerns and issues from this ordinance. Of course, all estate right off the bat. I certainly do not want to expose our citizens to situations that may be uncomfortable and and being aggressively pursued by a panhandler beggar. However, I don't think this law protects them from that this point the low the very few times it's been cited as one example. I think that in fact ours is not enforced and resting perhaps to not force it further states example that is not protecting the citizens of this city issue is very clear. Is this law constitutional or not thinking that it is therefore we should get off her books agree with counseling children that while it's on her books and Louis the welts on our books. It exposes us to a liability that I don't wish to expose the city to we had example for a panhandler will recall, the municipality, but he soon from being the total not to panhandler anyone at 25, \$29,000 judgment title.

The paper concerned that our cities can be inundated by panhandlers when we fill the slot people would happen if they find out they can sue the city under this law and get adjusted at \$29,000 so I don't want wish to expose our city that such liability as well. I do do call for the law department to work on this issue diligently reports legislation if they find that there is a way to address the pain handling issue and doing constitutional matter. I certainly would like to see that. Not sure that's possible. But if it is I like to see that and I would further restate your request to the media and newspaper. Whatever media is representing us to get out there what the protections that our citizens currently have laws that protect them how they can be applied. Citizens can protect themselves and get that which probably should've been done from the very beginning, but unfortunately wasn't get that information out there plain English that our citizens read and understand. I've had many many calls about this issue was not talked and explained to them that the that the crux of the deal is that this is unconstitutional law, and is protected in any way. They agreed that there are other laws that protect me, I'm fine. They were under the impression that this is the only law was to protect companion and in the activities that take the day cited to me were not in family activities a progressive behavior. They were asking for money. They were coming after being asked to leave the they continued and I told him that's an issue for the loss of the Police Department handle and I know that this part will handle so I therefore given all the discussion we had. I motion make a motion that we bring the sport for second by counseling children. Since this is third reading rollcall Litman Manson spirit children creamer Cunningham, no Greg, yes, Irwin and Lewis six yes three. No ordinance number 2320 19 is passed second reading ordinance and resolutions ordinance number 3019 and ordinance to accept the dedication of road right of way and easements for Avenue Southeast, located in the neocon industrial park mass in Ohio and declaring an emergency ordinance number 30 2019 is received second reading is a new miscellaneous business counselor Lewis Moore request support of Mr. great hope I will give them the boat that we just had on order number 23, make request of the law department. Please supply us with a report of all ordinances that would apply public safety regarding this matter report could be to us by May 18 which would be a two month window with possible water to be request for possible ordinances that are critical. Laws are currently on the effect that would be related to questions such as loitering, harassing, menacing disorderly conduct that affects that we can have a better understanding ourselves and we can short position doesn't just get lost in the shuffle. Talk to us no later than May 18. That way we can open it up for discussion for hopefully five sports director would go to "completely number 17 on the agenda were anyone from the audience. Make a report for two top any topic that did not appear in tonight's agenda. Again, if you wish to do so. State your name, address, and topic you wish to discuss scene nine miscellaneous onto the reason this I wanted that thing left in their social forces that we are person terminated in this town a couple years ago and there was supposedly an investigation done and we ask repeatedly for the final and we never received so I don't have a lot of confidence in things done unless somebody was forced to counseling children sick, my counsel in spirit. Please find the students forms